JUN 2 2 2001

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PTO/SB/21 (08 00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 09/833390

Filing Date 04/11/01

First Named Inventor Triola

Group Art Unit 2131

Examiner Name

Attorney Docket Number CRT044UT

June 22,

Date

	ENCLOSURES (check	all that apply)
Fee Transmittal Form  X Fee Attached  After Final  Affidavits/declaration(s)  Extension of Time Request  Express Abandonment Request  Information Disclosure Statement  Certified Copy of Priority Document(s)  Response to Missing Parts/ Incomplete Application  Response to Missing Parts  under 37 CFR 1.52 or 1.53	Assignment Papers (for an Application)  Drawing(s)  Licensing-related Papers  X Petition  Petition to Convert to a Provisional Application  Power of Attorney, Revocation Change of Correspondence Address  Terminal Disclaimer  Request for Refund  CD, Number of CD(s)  Remarks	After Allowance Communication to Group Appeal Communication to Board of Appeals and later ferences  Appeal Communication to Group (Appeal Notice, Brief, Exply Brief) Proprietary Information Status Letter Status Letter (Other Enclosure(3) (please identify below): Exhibit A (2pp.) Exhibit B (2pp.) PTO 1449 + references
SIGNATI	JRE OF APPLICANT, ATTORNEY, OR	AGENT
Firm or Individual name Office of	Eugene A. Valet  14. Valet	
1 _	CERTIFICATE OF MAILING	EK880403440US <u>7</u>

mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Eugene H. Valet

Typed or printed name

Signature

•	•
OIPE	PTO/SB/17 (11-00) Approved for use through 10/31/2002. OMB 0651-003 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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FEETRANSMITTA	Application Number 09/833390 S C D Filing Date 04/11/01
	Application Number 09/033390 \$ C U
for FY 2001	Filing Date 04/11/01 9 7
101112001	First Named Inventor Triola 90 0 m
Patent fees are subject to annual revision.	Examiner Name
	Group Art Unit 2131 🙀 🖯 🥅
TOTAL AMOUNT OF PAYMENT (\$) 130.00	Attorney Docket No. CRT044UT NO.
METHOD OF PAYMENT	FEE CALCULATION (continued)
1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:	3. ADDITIONAL FEES
Deposit	Large Small Entity Entity
Account Number	Fee Fee Fee Fee Fee Description Fee Paid
Deposit Account	Code (\$) Code (\$)  105 130 205 65 Surcharge - late filling fee or oath
Name	
Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17	127 50 227 25 Surcharge - late provisional filing fee or cover sheet
Applicant claims small entity status.	139 130 139 130 Non-English specification
See 37 CFR 1.27	147 2,520 147 2,520 For filing a request for ex parte reexamination
2. x Payment Enclosed:	112 920° 112 920° Requesting publication of SIR prior to
Check Credit card Money Order Other	Examiner action  113 1,840* 113 1,840* Requesting publication of SIR after
FEE CALCULATION	Examiner action
1. BASIC FILING FEE	115 110 215 55 Extension for reply within first month
Large Entity Small & tity	116 390 216 195 Extension for reply within second month
Fee Fee Fee Fee Fee Description Code (\$) Code (\$) Fee Paid	117 890 217 445 Extension for reply within third month  118 1,390 218 695 Extension for reply within fourth month
101 710 201 355 Utility filing fee	400 4 000 000 045
106 320 206 160 Design filing fee	128 1,890 228 945 Extension for reply within fifth month  119 310 219 155 Notice of Appeal
107 490 207 245 Plant filing fee	
1')8 710 208 355 Reissue filing fee	120 310 220 155 Filing a brief in support of an appeal 121 270 221 135 Request for oral hearing
114 150 214 75 Provisional filing fee	138 1,510 138 1,510 Petition to institute a public use proceeding
SUBTOTAL (1) (\$)	140 110 240 55 Petition to revive - unavoidable
2. EXTRA CLAIM FEES	141 1,240 241 620 Petition to revive - unintentional
Ext <u>ra Claims below</u> Fee Paid	d 142 1,240 242 620 Utility issue fee (or reissue)
Total Claims	143 440 243 220 Design issue fee
Claims	144 600 244 300 Plant issue fee
Multiple Dependent	122 130 122 130 Petitions to the Commissioner
Large Entity Small Entity	123 50 123 50 Processing fee under 37 CFR 1.17(q)
Fee Fee Fee Fee Description	126 180 126 180 Submission of Information Disclosure Stmt
Code (\$) Code (\$)  103 18 203 9 Claims in excess of 20	581 40 581 40 Recording each patent assignment per property (times number of properties)
102 80 202 40 Independent claims in excess of 3	146 710 246 355 Filing a submission after final rejection
104 270 204 135 Multiple dependent claim, if not paid	(37 ČFR § 1.129(a))
109 80 209 40 ** Reissue independent claims	149 710 249 355 For each additional invention to be examined (37 CFR § 1.129(b))
over original patent  110 18 210 9 ** Reissue claims in excess of 20	179 710 279 355 Request for Continued Examination (RCE)
110 18 210 9 ** Reissue claims in excess of 20 and over original patent	169 900 169 900 Request for expedited examination
(0)	Other fee (specify)  Other fee (specify)  Other fee (specify)  Other fee (specify)
SUBTOTAL (2)	
*for number previously paid, if greater: For Reissues, see above	*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 130.00

SUBMITTED BY		Complete (if applicable)			
Name (Print/Type)	Eugene H. Valet	Registration No. (Attorney/Agent)	31435	Telephone	206-933-7438
Signature	Engene H. Valet			Date	JUNE 21, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EK880403419US in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: JUNE 22, 2001

Typed Name of Person Mailing Paper of Fee: Eugene H. Valet

Signature:

PATENT APPLICATION DOCKET NO. CRT044UT

JUN 2 2 2001

IN THE IITED STATES PATENT AND TRADEMARK OFFICE

GROUP ART UNIT:

**EXAMINER:** 

5

10

15

20

25

Unknown

2131

**INVENTOR(S):** 

Triola, C.R.

**SERIAL NO.:** 

09/833,390

FILED:

04/11/01

SUBJECT:

METHOD AND

D APPARATUS

PROCESSING

**FOR** 

**ESCROW** 

lechnology Center 2100

TRANSACTIONS

PETITION TO MAKE SPECIAL

THE ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231

SIR:

This petition is filed under 37 CFR 1.102 requesting advancement of examination.

On behalf of the inventor, the undersigned attorney-of-record states that (A) applicant believes there is an infringing device or product actually on the market or method in use - Exhibit A hereto provides clear evidence thereof; (B) a rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made by the inventor and in his opinion some of the claims are unquestionably infringed; and (C) a careful and thorough search of the prior art has been made - Exhibit B hereto is a copy of correspondence with the search agent, Government Liaison Services; a PTO 1449 and copies of the references retrieved is filed herewith.

The fee under 37 CFR 1.17(i) is filed herewith.

06/28/2001 BNGUYEN1 00000010 09833390

Page 1 of 2

01 FC:122

130.00 DP

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Questions or suggestions that will advance the case to allowance may be directed to the undersigned by teleconference at the Examiner's convenience.

Date: durc 21,2001

Respectfully submitted for C. Richard Triola

Eugene H. Valet

Attorney Reg. No. 31435

(206) 933-7438

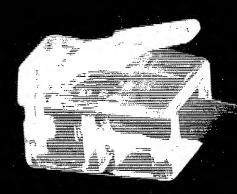
Office of Eugene H. Valet 4742 42<sup>nd</sup> Ave. SW #3 Seattle WA 98116//

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Your ORTC	User Name:				
Your ORTC	Password				
What Browse	er are they using?	: Internet Explo	rer 4 Internet	Explorer 5 N	etscape
Do they have	Adobe Acrobat l	Reader?: Ye	s No		
<b>Escrow Offic</b>	eer:	E	Escrow Branch:		
Do they have	open orders with	us?: Escrow or	title numbers:_		
Sales Person		Sa			
Cell or Mobi	le Number				



JUN 2 2 2001

Phone 949.376.7058 Fax 949.376.8379

March 15, 2000

Mr. Bob Weir

Government Liaison Services

RE: Application Patent Search

Dear Mr. Weir:

As per our conversation we would like to commence a patent search on the method of business or software for or internet access for the following, Internet Real Estate Escrow service with the following key words -

- \* escrow service
- \* escrow transaction coordinator
- \* escrow coordinator
- \* escrow process
- \* digital escrow service
- \* digital transaction coordinator
- \* digital process coordinator
- \* real estate escrow instructions
- \* real estate escrow service
- \* online escrow process
- \* online escrow service
- \* online real estate escrow service
- \* online escrow instructions
- \* personal property escrow service
- \* business to business escrow service

Please begin your search immediately and if you should need additional information please contact me. Thank you.

C. Richard Triola

cc: Eugene H. Valet, Esq.

CRT/gp



Mr. C. Richard Triola Eezcrow.com 259 Lower Cliff Dr. Suite 611 Laguna Beach, CA 92651 March 31, 2000

JUL 0 5 2001
Technology Center 2100

Re: Patent Search

ONLINE ESCROW METHOD

Class: 705/1, 4, 35, 37, 38

Dear Mr. Triola

In accordance with your instructions, we have conducted a preliminary patentability search on the disclosure identified above.

In the judgment of the searchers, the nearest reference material found was: patent numbers  $60\overline{29149}$ , 6016482, 6012047, 5995947, 5983206, 5991745, 5966699, 5940811, 5930776, 5924082 and 4876648.

Patent searches are conducted in the library of the United States Patent and Trademark Office using public records maintained by them. Where appropriate examiners or other officials are consulted. We assume no responsibility for filing errors or omissions made by Government agencies or abuse of these records by the public.

We warrant that true care is exercised in performing all searches and services, but we do not warrant that the results are complete or without error. Any liability resulting from these search services is limited to a refund of the search fee paid. We are not attorneys and perform no legal services. Our report does not, and is not intended to constitute a legal opinion as to patentability.

If you have any questions or we can be of further assistance, please do not hesitate to contact me.

Very truly yours,

Robert B. Weir

RBW/bb Encl.

EXHIBIT NO. B: 2 OF 2

LIST OR AFFINE AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE **STATEMENT** 

(Use several sheets if necessary)

ATTY. DOCKET NO. SERIAL NO. 09/833390 CRT044UT APPLICANT

TRIOLA

FILING DATE

4/11/01

GROUP 2131

### REFERENCE DESIGNATION

**EXAMINER** 

Rav 10/00 (P) 01449)

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS
F.B	4876648	Oct. 24, 1989	Lloyd	364	408
	5924082	Jul. 13, 1999	Silverman et al.	705	37
	5930776	Jul. 27, 1999	Dykstra et al.	705	38
1	5940811	Aug. 17, 1999	Norris	705	38
	5966699	Oct. 12, 1999	Zandi	705	38
1	5983206	Nov. 9, 1999	Oppenheimer	705	38
	5991745	Nov. 23, 1999	Kiritz	705	38
	5995947	Nov. 30, 1999	Fraser et al.	705	38
	6012047	Jan. 4, 2000	Mazonas et al.	705	38
	6016482	Jan. 18, 2000	Molinari et al.	705	35
F.B.	6029149	Feb. 22, 2000	Dykstra et al.	705	38

### **FOREIGN PATENT DOCUMENTS**

	DOCUMENT	DATE	NAME	NAME	NAME CL		SUB	TRAN	NSLATION	
	DOCUMENT NUMBER	DATE	NAME	CLASS	CLASS	YES	NO			
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	OTHER REFERI	ENCES (includin	g Author, Title, Date, Pertin	ent Pages,	etc.)	Fachnology Center 2100	RECEIVED			
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DATE CONSIDERED

## PATENT COOPERATION TREATY

DGM

From the INTERNATIONAL SEARCHING AUTHORITY

To: KAROLINE A. DELANEY KNOBBE, MARTENS, OLSON AND BEAR, LLP 620 NEWPORT CENTER DRIVE 16TH FLOOR NEWPORT BEACH; CALIFORNIA 92660 ACTION COMPLETE SEP 22, 2001	PCT  NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT OR THE DECLARATION  (PCT Rule 44.1)
ATTORNEY VERIFICATOR OF STATE	Den -6M-iii
DATE AND FINALEST TURBERS.	Date of Mailing (day/month/year) 22 AUG2001
Applicant's or agent's file reference	Ton The State of t
EZCROW.001VPC	FOR FURTHER ACTION See paragraphs 1 and 4 below
International application No.	International filing date (day/month/year)
PCT/US01/13021	20 APRIL 2001
Applicant TRIOLA, C. RICHARD	
Filing of amendments and statement under Article	search report has been established and is transmitted herewith.  e 19:  he claims of the international application (see Rule 46):
When? The time limit for filing such amendm	nents is normally 2 months from the date of transmittal of the more details, see the notes on the accompanying sheet.
Where? Directly to the International Bureau of W 34, chemin des Colombet 1211 Geneva 20, Switzer Facsimile No.: (41-22) 7	tes Append Foss Amend 15R land
For more detailed instructions, see the notes on	the accompanying sheet.
— Afficie 17(2)(a) to that effect is transmitted herewith.	And which so the least and that the declaration under
the protest together with the decision thereon b	additional fee(s) under Rule 40.2, the applicant is notified that:  has been transmitted to the International Bureau together with the
applicant's request to forward the texts of both	the applicant will be notified as soon as a decision is made.
	the appreciant with be notified as soon as a decision is made.
4. Further action(s): The applicant is reminded of the following	owing:
in the applicant wishes to avoid or postbone publication	ational application will be published by the International Bureau.  , a notice of withdrawal of the international application, or of the provided in rules 90 bis 1 and 90 bis 3, respectively, before the al publication.
Within 19 months from the priority date, a demand for in- wishes to postpone the entry into the national phase unt	ternational preliminary examination must be filed if the applicant il 30 months from the priority date (in some Offices even later).
Within 20 months from the priority date, the applicant m	ust perform the prescribed acts for entry into the national phase
Name and mailing address of the ISA/US	Authorized officer
Commissioner of Patents and Trademarks Box PCT	VINCENT MILLIN
Washington, D.C. 20231	Occuse R Motther:
Facsimile No. (703) 305-3230	Telephone No. (703) 308-1065

## PATENT COOPERATION TREATY

## **PCT**

## INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference EZCROW.001VP	FOR FURTHER see Notification of ACTION (Form PCT/ISA/220	Transmittal of International Search Report 1) as well as, where applicable, item 5 below.
International application No.	International filing date (day/month/year)	(Earliest) Priority Date (day/month/year)
PCT/US01/13021	20 APRIL 2001	20 APRIL 2000
Applicant TRIOLA, C. RICHARD		
This international search report has bee according to Article 18. A copy is bein	n prepared by this International Searching Augetransmitted to the International Bureau.	thority and is transmitted to the applicant
This international search report consists	of a total of <u>4</u> sheets.	
X It is also accompanied by a c	opy of each prior art document cited in this re	eport.
1. Basis of the report		
a. With regard to the language, the	he international search was carried out on the b unless otherwise indicated under this item.	asis of the international application in the
the international search was Authority (Rule 23.1(b)).	carried out on the basis of a translation of the	he international application furnished to this
b. With regard to any nucleotide was carried out on the basis of		international application, the international search
contained in the international	al application in written form.	
filed together with the interes	national application in computer readable form	1.
furnished subsequently to th	is Authority in written form.	
furnished subsequently to th	is Authority in computer readable form.	
the statement that the subse	equently furnished written sequence listing d	oes not go beyond the disclosure in
	ation recorded in computer readable form is identification	tical to the written sequence listing has been
2. Certain claims were found	unsearchable (See Box I).	
3. Unity of invention is lacking	ng (See Box II).	
4. With regard to the title,		
X the text is approved as subn	nitted by the applicant.	
the text has been established	by this Authority to read as follows:	
5 With according the charges		
5. With regard to the abstract, the text is approved as subm	nitted by the applicant	·
= "	1, according to Rule 38.2(b), by this Authority	y as it appears in
Box III. The applicant may, search report, submit comm	within one month from the date of mailing of	this international
6. The figure of the drawings to be pu	iblished with the abstract is Figure No.	
as suggested by the applican	at.	X None of the figures.
because the applicant failed	to suggest a figure.	in the rightest
because this figure better ch	aracterizes the invention.	

Form PCT/ISA/210 (first sheet) (July 1998)\*

#### INTERNATIONAL SEARCH REPORT

International application No. PCT/US01/13021

Box III TEXT OF THE ABSTRACT (Continuation of item 5 of the first sheet)

An apparatus(see Figs 1A/1B/1C) and a method implement, manage, and track online digital transactions via an escrow, including opening, servicing, real-time or near realtime status of the broker, title company, lender, vendor, buyer and seller and closing of an escrow via a medium such as the Internet(210). Multiple access methods are employed. The present invention provides computerization and internet type process implementation for escrow processes including, but not limited to, digital transactions coordination, digital status coordinators, escrow transactions, online digital signitures, video signiture authentication, wireless transmission of escrow transactions, voice digital instruction, set-top/Web TV digital escrow transmission. The system includes data,application, and servers along with supporting LAN or WAN-based application to perform escrow services.

## INTERNATIONAL SEARCH REPORT

International application No. PCT/US01/13021

	SSIFICATION OF SUBJECT MATTER		
IPC(7) US CL	:G 06F 17/60 : 705/35		
According (	to International Patent Classification (IPC) or to both	national classification and IPC	
	LDS SEARCHED		
	documentation searched (classification system followed	d by classification symbols)	
U.S. :	705/35		ļ
Documental	tion searched other than minimum documentation to the	e extent that such documents are included	in the fields searched
Electronic of EAST	data base consulted during the international search (na	ime of data base and, where practicable,	search terms used)
C. DOC	CUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where ap	propriate, of the relevant passages	Relevant to claim No.
Y	US 5,644,726 A (OPPENHEIMER et. Fig 2B; Fig 2C/43; Fig 3; col 4 lines 163; col 5 lines 27-41; col 6 lines 40-676-36; col 10 lines 25-47; col 8 lines 3-Table 3/9	10-28; col 2 line 61-col 3 line 7; col 7 lines 1-37; col 9 lines	1-20
Y	US 5,983, 206 A (OPPENHEIMER et Abstract; Fig 2C/43; Tables 1/2/3; co. 64; col 8 lines 11-31; col 9 line 59-c 13(db); col 5 lines 36-50; col 4 lines 2 17	17 lines 11-26; col 8 lines 56- ol 10 line 56; Fig 1/2/3; col	1-20
<del></del>	her documents are listed in the continuation of Box C		
"A" do	ecial categories of cited documents: cument defining the general state of the art which is not considered	"T" later document published after the inte date and not in conflict with the applica principle or theory underlying the inve	ation but cited to understand the
to	be of particular relevance rlier document published on or after the international filing date	"X" document of particular relevance; the	e claimed invention cannot be
"L" do	cument which may throw doubts on priority claim(s) or which is	considered novel or cannot be consider when the document is taken alone	red to involve an inventive step
spe "O" doe	ed to establish the publication date of another citation or other ecial reason (as specified)  cument referring to an oral disclosure, use, exhibition or other eans	"Y" document of particular relevance; the considered to involve an inventive combined with one or more other such being obvious to a person skilled in the	step when the document is a document, such combination
"P" doe	cument published prior to the international filing date but later than priority date claimed	"&" document member of the same patent	
	actual completion of the international search	Date of mailing of the international sear	rch report
09 JULY	2001	22 AUG2001	
Commission	nailing address of the ISA/US ner of Patents and Trademarks	Authorized officer	
Box PCT Washington	n, D.C. 20231	VINCENT MILLIN COMES	R. Matthews
Facsimile N	lo. (703) 305-3230	Telephone No. (703) 308-1065	. 111-00.55

## INTERNATIONAL SEARCH REPORT

International application No. PCT/US01/13021

	tion). DOCUMENTS CONSIDERED TO BE RELEVANT	
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No
Y	US 5,745,706 A (WOLFBERG et al) 28 APRIL 1998, Fig 1/107/170/161/160/168/169/100/104/103/102/106/109; col 2 lines 6-31; col 4 lines 1-40; col 10 line 33-col 11 line 39; col 12 lines 54-59	1-20
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Form PCT/ISA/210 (continuation of second sheet) (July 1998)\*